Rejection under 35 U.S.C. §103

Claims 1-11 were rejected under 35 U.S.C. §103 in view of Boezeman and Hamakawa. The rejection is respectfully traversed.

Boezeman teaches, in the portions cited by the Examiner, an interface in which objects may be arranged in time on a timeline. Boezeman does not teach, as noted by the Examiner, that objects are re-mapped to a global time line subsequent to repositioning of a meta-object, or that meta-clip objects are incorporated into a list of available resources.

Hamakawa teaches, in the portions cited by the Examiner, an object hierarchy (Figs. 3-4; p. 274, cols. 1-2) to combine multimedia objects into a composition. Hamakawa teaches that sequencing of objects is accomplished by an SEBox Object, which defines *only relative* locations in a sequence in time among objects operated on by the SEBox Object (p. 274, col. 2). Objects that are intended to be simultaneous are combined by an Overlay Object (p. 275, Col. 1). A Position Object may place an object on a specific section of an absolute time scale (p. 275, Col.1). There is no facility in Hamakawa to create a meta clip that includes first and second clips of different data types on a local time line, and that if a meta clip is placed on a global time line, the start time and duration of the first and second clips in the meta clip are remapped from the local time line to the global time line.

Thus, neither Hamakawa nor Boezeman teaches or suggest creating a meta clip that includes first and second clips of different data types on a local time line, and that if a meta clip is placed on a global time line, the start time and duration of the first and second clips in the meta clip are remapped from the local time line to the global time line. Accordingly, the rejection of independent claims 1, 4 and 11 is traversed. The remaining claims are dependent claims that are allowable for the same reasons.

In the rejection, the Examiner asserts that Hamakawa does teach such a "meta clip", based on several inferences based on Figure 3 and a principle known as inheritance. These inferences are incorrect because Figure 3 does not represent an object class hierachy in which object classes lower in the hierarchy inherit characteristics of object classes higher in the hierarchy. Such a class hierarchy representing inheritance is shown in Fig. 10. Instead, Fig. 3 illustrates a hierarchical combination of instances of objects that make up a multimedia composition. Thus, in Fig. 3, the hierarchy represents how instances of objects are combined to

produce the multimedia composition, not inheritance. To the extent that the rejection is based on a finding that Fig. 3 illustrates inheritance, the rejection is traversed.

The rejection also is traversed because the combination as proposed by the Examiner would not be made by one of ordinary skill in the art. Boezeman teaches a timeline based system. Hamakawa emphasizes that a timeline system has significant drawbacks and indicates "three features in the proposed model that differentiate it from the timeline model." These "three features" (temporal glue, object hierarchy and relative location) are precisely those that the Examiner relies on for the rejection. Hamakawa neither teaches nor suggests that these features may be used in a timeline system and uses them to differentiate from a timeline based system. In fact, at the bottom of p. 277, Hamakawa states: "This facility encourages the user to revise and reuse previously constructed composite multimedia objects because it eliminates the need for precise timeline locations." Accordingly, one would not have been motivated by Hamakawa to combine the teachings of Hamakawa with those of Boezeman, and the rejection also is traversed for this reason.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this reply, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0876.

Respectfully submitted,

By: _____

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MARKED UP VERSION OF AMENDED CLAIMS UNDER 37 C.F.R. 1.121

1. (Twice amended) A method for accessing and manipulating time-based data of at least two differing data types, comprising [the steps of]:

[(i)] selecting a first time-based data source comprising a first data type from a selection of available data sources;

[(ii)] positioning a first clip object representing [said] the first time-based data source with respect to a local time line to define a start time and duration relative to the local time line for accessing [said] the first time-based data source;

[(iii)] selecting a second time-based data source from [said] the selection of available data sources, [said] the second time-based data source being of a different data type than [said] the first time-based data source;

[(iv)] positioning a second clip object representing [said] the second time-based data source with respect to [said] the local time line to define a start time and duration relative to the local time line for accessing [said] the second time-based data source;

[(v)] creating at least one meta-clip object representing [said] the local time line and [said] the first and second clip objects positioned relative thereto, [said] the at least one meta-clip object being positionable with respect to a global time line of an edit, distinct from [said] the local time line, such that the start time and duration of each of [said] the first and second clip objects in [said] the at least one meta-clip are re-mapped to [said] the global time line upon [said] the at least one meta-clip being positioned relative to the global time line; and

[(vi)] adding [said] the at least one meta-clip object to [said list] the selection of available data sources.

4. (Twice Amended) A method of defining in [an NLE] a nonlinear editing system an editing comprising time-based data of at least two differing data types disposed relative to a global time line, comprising [the steps of]:

[(i)] creating at least one meta-clip object each comprising a respective local time line distinct from the global time line, a first clip object representing a first time-based data source selected from a list of available data sources, and a second clip object representing a second time-based data source selected from the list of available data sources, the second data source

being of a different data type than the first data source, the first and second clip objects being positioned relative to the local time line to define a respective start time and duration relative to the local time line for accessing each [said] selected data source;

[(ii)] adding [said] the at least one meta-clip object to [said] the list of available data sources;

[(iii)] selecting at least one of the meta-clip objects from [said] the list of available data sources and positioning [said] the at least one selected meta-clip object with respect to the global time line; and

[(iv)] re-mapping to the global time line the start time and duration of the clip objects comprising each [said] selected meta-clip object in accordance with the position of each [said] selected meta-clip object relative to the global time line.

11. (Amended) A non-linear editing system for creating an edit by accessing and manipulating time-based data of at least two differing data types, comprising:

a storage device to store time-based data sources of at least two different types;

a computer operatively connected to [said] the storage device to access [said] the time-based data sources stored therein;

at least one output device to display to a user a graphical user interface of [an NLE] a program for non-linear editing executed by [said] the computer and to output [the] a result of [said] the edit to [said] the user; and

at least one user input device to receive input for [said NLE] the program from [a] the user, [said] the input being configured to:

[(a)] create with the computer at least one meta-clip object each comprising a respective local time line, a first clip object representing a first one of the stored data sources, a second clip object representing a second one of the stored data sources, the second data source being of a different data type than [thefirst] the first data source, the first and second clip objects being positioned relative to the local time line to define a respective start time and duration relative to the local time line for accessing each [said] data source;

[(b)] select with the computer at least one of the meta-clip objects; and

[(c)] define with the computer the positioning of each [said] selected meta-clip object relative to a global time line distinct from the local time lines so as to initiate re-mapping of

[said] the start time and duration of each [said] of the clip objects represented by [said] the meta-clip objects according to the relative position of [said] the local time lines and [said] the global time line.